

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TIMOTHY J. SCHULENBURG,

Plaintiff,

v.

SALLIE MAE (SLM CORPORATION),

Defendant.

ORDER

Case No. 14-cv-774-jdp

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Plaintiff Timothy J. Schulenburg has filed a proposed civil complaint and has asked for leave to proceed without prepayment of the filing fee. Plaintiff has supported his request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3,700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff is currently employed and reports a monthly income of \$3,800, or \$45,600 annually. Plaintiff also indicates he supports three minor dependents. The court

subtracted \$3,700 for each dependent from plaintiff's annual income leaving a balance of \$34,500. Accordingly, plaintiff must pay the \$400 filing fee to proceed with his lawsuit.

ORDER

IT IS ORDERED that:

1. The motion filed by plaintiff Timothy J. Schulenburg for leave to proceed without prepayment of the filing fee (Dkt. # 2) is DENIED.

2. In order for this case to proceed, plaintiff must submit the \$400 filing fee to the clerk's office by December 1, 2014. If plaintiff fails to submit payment by December 1, 2014, this case will be dismissed for failure to prosecute.

Entered this 14th day of November, 2014.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge